

COURT OF APPEALS NO. _____

UNITED STATES COURT OF APPEALS
FOR THE FIRST CIRCUIT

IN RE: JAMES PETER KYRICOPOULOS,
petitioner

PETITION FOR WRIT OF MANDAMUS TO
UNITED STATES DISTRICT JUDGE F DENNIS SAYLOR IV
TO RECUSE HIMSELF FROM PENDING
HABEAS CORPUS.

JAMES PETER KYRICOPOULOS,
petitioner, pro-se
presently incarcerated at:
Old Colony Correctional Center
Minimum Security
One Administration Road
Bridgewater, Massachusetts 02324

Dated: February 6, 2018

(1)

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(2)

RELIEF SOUGHT

THat the District Court's Denial of the Recusal Motion be Vacated, and that U.S.D.J. F Dennis Saylor IV recused himself immediately from pending habeas corpus or any other matter in the UNited States District Court, and that the present habeas corpus be reassigned to another JUDGE could can be fair and impartial. ¹

ISSUES PRESENTED

The within petition including the affidavit in support of, shows a clear and most compelling abuse of power by the respondent, U.S.D.J. F Dennis Saylor IV, where any reasonable person would conclude that his impartiality could only be laughed" at, if his bias and prejudice against the petitioner is not unconstitutional, we can only laugh.

He in delaying the process of the GREAT WRIT," which of course our forefathers declared what habeas corpus is, is making a sham out of it. The test under § 455, is whether a reasonable person with knowledge of all the facts, would conclude that the judge's impartiality be reasonably questioned, no further comment.

Exhibit A Copy of Recusal Motion be ing Denied.

(3)

**FACTS NECESSARY TO UNDERSTAND THE
ISSUES PRESENTED BY
PETITION**

RELATED BACKGROUND:

The petitioner has been attacking this state conviction and the most deliberate act of false imprisonment by filing his first habeas corpus in June of 2015, repeat, 2015. The District Court Judge, Indira Talwani and her associate, Magistrate Boal, intentionally sat on said habeas corpus for some eight months, till the petitioner seek a Writ of Mandamus in February of 2016, WOW, see copy of Writ being DENIED, no. 16-1071 dated February 3, 2016.

The petitioner played that sick game by attempting to exhaust state remedies, to no avail, refiled second habeas corpus after waiting 5 months, no movement by Judge Talwani again, again went back to this Court for Writ, denied, no. 17-1291, dated March 31, 2017²

The petitioner must submit to this Court, after the above two writs were denied, both habeas corpus were IMMEDIATELY DISMISSED by District Court, reasons: not exhausting state remedies, WHAT A SHAM.

Exhibit C.

(4)

The petitioner then filed Writ of Mandamus to the Supreme Judicial Court of Massachusetts, reasons: for refusing to forward petitioner copy of trial transcripts in order to Appeal the state conviction, this in April of 2017, it was docketed as no. SJ-2017-0182,³ WOW, , to give a glimpse of what the Writ included, was a document titled "total constitutional deprivations,"³ WOW, only eighteen (18) United States and Massachusetts constitutional violations, but the CRUX of the Writ, under SJC case authority, "Commonwealth v. Lee," and "In Petition of Williams," delay of 2 years not producing trial transcripts was declared deplorable by SJC, charged DISMISSED, petitioner released from prison immediately, WOW, IN the petitioner's case,, it had been almost 3 years, and Commonwealth refused to give petitioner trial transcripts, violating Standing Order 09-2, when ordered, must be ready within 6 months, when did petitioner order transcripts, October 27,28, 2014, WHAT.

Commonwealth, Ms. Eva Badway colluded with SJC Justice Cypher to falsify docket entries to commit perjury , said Writ was Denied on June 12, 2017, WOW, case authority for said sick misconduct, see "wheel v. Robinson," 2nd circuit, WOW.

Petitioner then filed Writ of Mandamus in this Court, showing this sick criminal misconduct, writ was docketed as no. 17-1651, petitioner had already pending in this Court appeal, seeking Certificate of Appealability, where District

(5)

Court dismissed second habeas corpus, and please understand petitioner was fully ready to witness a cover-up of enormous size, a cover-up no court has ever seen, in "Therrien v. United State, 1st cir., 2017," egregious misconduct by government, where the world of common sense that would shock the world, charges must be dismissed immediately.

This Court, Justices Torruella, Lynch and Barron, ruling, mandamus is not in order,⁴ WOW. The petitioner filed Motion for Clarification, dated August 22, 2017, kindly see enclosed copy, again DENIED, where they, Justices Torruella, Lynch and Barron referred to said Motion as Appeal, see copy of Denial, dated September 19, 2017,⁴ WOW, called it an Appeal, petitioner is pro-se we can do what we want, we are liberal judges, this is Kennedy country. IN Auerhahn, this Court said it is required of Judge, to report criminal or unprofessional misconduct by lawyers, also required by their Canons of Conduct, WOW, well sometimes, when petitioner is pro-se, take your constitutional rights and wipe your ass, petitioner, this is not a democracy up here in Massachusetts, this is a tyranny, you better hope we do not rescind your citizenship, and NO, we do not care that you were born in this country, we are Judges, lest you not forget that.

The petitioner must now submit the complete frosting of the

Exhibit D.

(6)

CAKE, petitioner received from ONE "Anastasia Dubrovsky, from
the Office of Circuit Executive, copy of a ORDER⁵ dated January
31, 2002, WHAT, 16 years ago, that the petitioner cannot file a
complaint against a federal judge(s), WOW, see names on said
Order, Torruella and Lynch. Petitioner immediately forwarded in-
quiry to Ms. Dubrovsky, to forward evidence that said Order
was directed to petitioner, petitioner never saw it, response
from Ms. Dubrovsky, NONE, second request, NO RESPONSE from MS.
Dubrovsky, WOW, to Ms. Dubrovsky, the only thing you are
supervisory attorney of, is the transgender bathroom.

The petitioner is now 68 years of age, fearless, college
educated, 3 years of law, to the aforementioned justices,
Sauylor IV, Torruella, Lynch and Barron, you people are
out right SICK, to say that you are UNFIT to be Judges,
is a gross understatement.

For all of you to review the evidence that the petitioner is
referring to, the petitioner has enclosed copy of cover
letter with copy of docket entries, showing no. 86, who submitted
Ms. Badway, for habeas corpus, no. 16-12431-IT, filed 12/21/16,
then the same Ms. Badway filed Opposition to petitioner's
Writ of Mandamus in SJC, no. SJ-2017-0182, showing NO docket
entry no. 86, what HAPPENED, then for new habeas corpus, again
Ms. Badway submitted updated docket entries for habeas corpus,
no. 17-11778-FDS, dated October 31, 2017, You got it, no. 86⁶

Exhibit E.

Exhibit F.

(7)

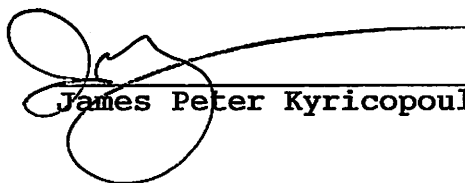
is BACK, WOW, the petitioner submits to this Court, how did that happened. The petitioner has also attached within the Appendix a copy of the Appendix⁷ when the petitioner filed his Amended habeas corpus, filed on November 3, 2017, please review the exhibits, the District Court has everything, petitioner as directed by the U.S. Supreme Court, in Townsend, a evidentiary Hearing is required by District Court, petitioner filed said request some 3 months ago, what happened, Judge Saylor IV, see you later petitioner, he does not care what U.S. Supreme Court says, matter of fact, he uses Supreme Court only when it fits their intent.

What the petitioner has submitted within these facts, is falsifying court documents to commit perjury, and falsifying court documents is punishable in federal court, by being imprisoned up to 20 years, WOW, how about obstruction of justice, how about Aiding and abeting. Let us put this matter to rest, the Attorney General and SJC Justice knew that they could commit these federal crimes with this federal Court, district and Court of Appeals covering their back, no more comment at this time. Again the U.S. Supreme Court said in *FAY*, the integrity and meaning of habeas corpus must never be impaired, a swift and complete action by the District Court is imperative.

Exhibit G

(8)

Signed under the pains and penalties of perjury
this 5th day of February, 2018 .



James Peter Kyricopoulos

(9)

REASONS WHY WRIT SHOULD ISSUE

The reasons set out, the facts submitted by the petitioner, cannot be challenged, the Delay in Adjudicating the present habeas corpus can ONLY be described as violating the petitioner's eighth (8th) amendment of the United States Constitution, "cruel and unusual punishment," how more despicable can it get. This petition clearly exceeds the demanding standard set by this Court in the issuance of the Writ, how much more does the petitioner have to suffer.

Please take judicial notice, the criminal complaint will be filed before this Court rules upon this Writ, and Yes, U.S.D.J. Saylor IV, with the 3 justices of this Court, will be listed as willing players.


James Peter Kyricopoulos
petitioner, pro-se
presently incarcerated at:
Old Colony Correctional Center
Minimum Security
One Administration Road
Bridgewater, Mass. 02324

Dated: February 5, 2018.

(10)

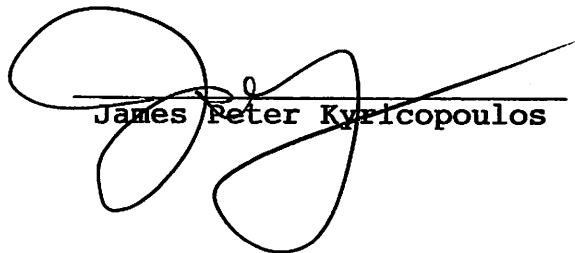
CERTIFICATE OF SERVICE

I, James Peter Kyricopoulos, pro-se do hereby certify that true copies of the enclosed were mailed to the following by first class mail, postage prepaid this 6th day of February, 2018:

**EVA BADWAY, ASST' ATTORNEY GENERAL
ON ASHBURTON PLACE
BOSTON, MASSACHUSETTS 02108**

c/o

**U.S.D.J. F DENNIS SAYLOR IV
OFFICE OF THE CLERK
UNITED STATES DISTRICT COURT
1 COURTHOUSE WAY, SUITE 2300
BOSTON, MASSACHUSETTS 02210**



James Peter Kyricopoulos

Dated: February 6, 2018

APPENDIX

EXHIBIT A: COPY OF DISTRICT COURT'S DENIAL OF MOTION OF RECUSAL DATED January 31, 2018.

EXHIBIT B: COPY OF DOCKET ENTRIES PRINTED OUT ON January 10, 2018.

EXHIBIT C; COPIES OF TWO NOTICES BY First Circuit Denying Writ of Mandamus, nos. 16-1071, dated February 3, 2016, and no. 17-1291, dated March 31, 2017 document titled "total constitutional deprivations."

EXHIBIT D: Copy of Writ of Mandamus dated August 3, 2017, no. 17-1651, copy of Denial of Motion for Clarification dated September 19, 2017.

EXHIBIT E: COPIES OF PETITIONER'S REQUEST TO MS. Dubrovsky, and her notice dated September 20, 2017 with copy of Orderr dated January 31, 2002.

EXHIBIT F: Copies of cover letters with related copies of docket entries, dated December 21, 2016, June 5, 2017, and October 31, 2017.

EXHIBIT G: Copy of Appendix filed with amended habeas corpus, docket entry no. 18, for habeas corpus no. 17-11778 -FDS.

EXHIBIT A

Orders on Motions

1:17-cv-11778-FDS Kyricopoulos
v. Gaffney

HABEAS, Paper Record

United States District Court

District of Massachusetts

Notice of Electronic Filing

The following transaction was entered on 1/29/2018 at 10:35 AM EST and filed on 1/29/2018

Case Name: Kyricopoulos v. Gaffney

Case Number: 1:17-cv-11778-FDS

Filer:

Document Number: 35 (No document attached)

Docket Text:

Judge F. Dennis Saylor, IV: ELECTRONIC ORDER entered denying [30] Motion for Recusal; denying [33] Motion for Recusal. COPY MAILED. (Pezzarossi, Lisa)

1:17-cv-11778-FDS Notice has been electronically mailed to:

Eva M. Badway eva.badway@state.ma.us, appealsefilings@state.ma.us

1:17-cv-11778-FDS Notice will not be electronically mailed to:

James Peter Kyricopoulos
W#105398
Old Colony Correctional Center
1 Administration Road
Bridgewater, MA 02324

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JAMES PETER KYRICOPOULOS,)
 petitioner

)

v.

)

Civil Action No. 17-11778-FDS

ERIN GAFFNEY,)
 respondent

)

PETITIONER'S MOTION OF RECUSAL PURSUANT
TO 28 U.S.C. SEC. 455 OF F. DENNIS
SAYLOR IV.

NOW COMES the petitioner, pro-se and moves this honorable Court,
F. Dennis Saylor IV, pursuant to 28 U.S.C. sec. 455 to Allow his
Motion of Recusal forthwith and shall "disqualify" HIMSELF in
this or anyother proceeding that involves the petitioner.


As reasons for, the petitioner has attached an Affidavit in Supp-
ort of that is so compelling that any reasonable person would
only conclude one fact, can this Judge because of his bias/pre-
judice commenced legal proceedings to terminate the petitioner's
citizen ship, OH excuse me, the petitioner was born in this
country, WOW. Please understand, the petitioner is in state
custody because the Attorney General and a Justice of the Sup-
reme Court of Massachusetts engaged in cllusion to committ
perjury, IMPOSSIBLE, petitioner, 38 months of false imprisonment

1

must have clouded" your judgment, WOW.

ACCORDINGLY, the petitioner's Motion of Recusal must be Allowed, and that this matter be directed to the Chief Justice Patty Saris to appoint another district judge to take jurisdiction of this habeas corpus immediately.

Respectfully submitted,



James Peter Kyricopoulos,
petitioner, pro-se
presently incarcerated at:
Old Colony Correctional Center
Minimum Security
ONE Administration Road
Bridgewater, Mass. 02324

Dated: December 27, 2017

-
1. State agents, Maura Healey and Justice Cypher are LESBIANS, come on petitioner, Judge Saylor does not want to miss those GAY Outings next summer, do not forget petitioner, this is Massachusetts, the blue of bluest states.

EXHIBIT B

Other Events

1:17-cv-11778-FDS Kyricopoulos
v. Gaffney

HABEAS, Paper Record

United States District Court

District of Massachusetts

Notice of Electronic Filing

The following transaction was entered on 1/10/2018 at 3:16 PM EST and filed on 1/10/2018

Case Name: Kyricopoulos v. Gaffney

Case Number: 1:17-cv-11778-FDS

Filer:

Document Number: 32(No document attached)

Docket Text:

DOCKET SHEET sent to James Peter Kyricopoulos. (Pezzarossi, Lisa)

1:17-cv-11778-FDS Notice has been electronically mailed to:

Eva M. Badway eva.badway@state.ma.us, appealsefilings@state.ma.us

1:17-cv-11778-FDS Notice will not be electronically mailed to:

James Peter Kyricopoulos
W#105398
Old Colony Correctional Center
1 Administration Road
Bridgewater, MA 02324

HABEAS, PaperRecord

**United States District Court
District of Massachusetts (Boston)
CIVIL DOCKET FOR CASE #: 1:17-cv-11778-FDS**

Kyricopoulos v. Gaffney
Assigned to: Judge F. Dennis Saylor, IV
Cause: 28:2254 Petition for Writ of Habeas Corpus (State)

Date Filed: 09/18/2017
Jury Demand: None
Nature of Suit: 530 Habeas Corpus
(General)
Jurisdiction: Federal Question

Petitioner**James Peter Kyricopoulos**

represented by **James Peter Kyricopoulos**
W#105398
Old Colony Correctional Center
1 Administration Road
Bridgewater, MA 02324
508-279-6000
PRO SE

V.

Respondent**Erin Gaffney**

represented by **Eva M. Badway**
Attorney General's Office
Room 2019
One Ashburton Place
Boston, MA 02108-1698
617-727-2200 x2824
Fax: 671-727-5755
Email: eva.badway@state.ma.us
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
09/18/2017	<u>1</u>	PETITION for Writ of Habeas Corpus pursuant to 28:2254, filed by James Peter Kyricopoulos.(Coppola, Katelyn) (Entered: 09/18/2017)
09/18/2017	<u>2</u>	MEMORANDUM OF LAW in Support of Petition 2254. Statement of Fact by James Peter Kyricopoulos in re <u>1</u> Petition for Writ of Habeas Corpus (28:2254). (Coppola, Katelyn) (Entered: 09/18/2017)
09/18/2017	<u>3</u>	ELECTRONIC NOTICE of Case Assignment. Judge F. Dennis Saylor, IV assigned to case. If the trial Judge issues an Order of Reference of any matter in this case to a Magistrate Judge, the matter will be transmitted to Magistrate Judge Donald L. Cabell. (Coppola, Katelyn) (Entered: 09/18/2017)
09/19/2017	<u>4</u>	Filing fee/payment: \$5.00, receipt number 1BST064455 for <u>1</u> Petition for Writ of Habeas Corpus (28:2254) (Coppola, Katelyn) (Entered: 09/19/2017)
10/05/2017	<u>5</u>	Letter to the Court from James Peter Kyricopoulos. (Geraldino-Karasek, Clarilde) (Entered: 10/05/2017)
10/05/2017	<u>6</u>	DOCKET SHEET sent to James Peter Kyricopoulos W#105398 Old Colony Correctional Center 1 Administration Road Bridgewater, MA 02324 (Geraldino-Karasek, Clarilde) (Entered: 10/05/2017)
10/10/2017	<u>7</u>	Judge F. Dennis Saylor, IV: ORDER entered. SERVICE ORDER re 2254 Petition. Order entered pursuant to R.4 of the Rules governing Section 2254 cases for service on respondents. Answer/responsive pleading due w/in 21 days of receipt of this order. (Maynard, Timothy) (Entered: 10/10/2017)

10/16/2017	8	MOTION to Amend 1 Petition for Writ of Habeas Corpus (28:2254) by James Peter Kyriacopoulos.(Maynard, Timothy) (Entered: 10/16/2017)
10/17/2017	9	Letter/request (non-motion) from James Peter Kyriacopoulos. (DOCKET SHEET SENT on this date) (Maynard, Timothy) (Entered: 10/17/2017)
10/19/2017	10	Judge F. Dennis Saylor, IV: ELECTRONIC ORDER entered granting 8 Motion to Amend. Petitioner is directed to file a complete Amended Petition by 11/2/2017. COPY MAILED. (Pezzarossi, Lisa) (Entered: 10/19/2017)
10/19/2017	11	MOTION for Immediate Release by James Peter Kyriacopoulos. (Maynard, Timothy) (Entered: 10/19/2017)
10/19/2017	12	ADDENDUM re 1 Petition for Writ of Habeas Corpus (28:2254) filed by James Peter Kyriacopoulos by James Peter Kyriacopoulos. (Attachments: # 1 Exhibit) (Maynard, Timothy) (Entered: 10/19/2017)
10/27/2017	13	Letter/request (non-motion) requesting D. 7 from James Peter Kyriacopoulos. (Document sent on this date) (Maynard, Timothy) Modified on 10/27/2017 (Maynard, Timothy). (Entered: 10/27/2017)
10/31/2017	14	NOTICE of Appearance by Eva M. Badway on behalf of Erin Gaffney (Badway, Eva) (Entered: 10/31/2017)
10/31/2017	15	NOTICE by Erin Gaffney Regarding Existence of Victim (Badway, Eva) (Entered: 10/31/2017)
10/31/2017	16	MOTION to Dismiss by Erin Gaffney. (Attachments: # 1 Exhibit State Court Docket, # 2 Exhibit State Appeals Court Docket, # 3 Exhibit State Appeals Court Docket, # 4 Exhibit SJ Docket, # 5 Exhibit SJ petition, # 6 Exhibit USDC docket, # 7 Exhibit USDC docket)(Badway, Eva) (Entered: 10/31/2017)
10/31/2017	17	MEMORANDUM in Support re 16 MOTION to Dismiss filed by Erin Gaffney. (Badway, Eva) (Entered: 10/31/2017)
11/02/2017	18	AMENDED PETITION for Writ of Habeas Corpus pursuant to 28:2254, filed by James Peter Kyriacopoulos. (Attachments: # 1 Exhibit)(Maynard, Timothy) (Entered: 11/02/2017)
11/06/2017	19	Letter/request (non-motion) from James Peter Kyriacopoulos. (Maynard, Timothy) (Entered: 11/06/2017)
11/06/2017	20	MOTION to Compel by James Peter Kyriacopoulos.(Maynard, Timothy) (Entered: 11/06/2017)
11/06/2017	21	MOTION for Evidentiary Hearing by James Peter Kyriacopoulos. (Maynard, Timothy) (Entered: 11/06/2017)
11/06/2017	22	MOTION for Immediate Release by James Peter Kyriacopoulos. (Maynard, Timothy) (Entered: 11/06/2017)
11/06/2017	23	Opposition re 16 MOTION to Dismiss filed by James Peter Kyriacopoulos. (Maynard, Timothy) (Entered: 11/06/2017)
11/13/2017	24	Amended PETITION for Writ of Habeas Corpus pursuant to 28:2254, filed by James Peter Kyriacopoulos. (Attachments: # 1 Exhibits)(Maynard, Timothy) (Entered: 11/13/2017)
11/21/2017	25	DECLARATION by James Peter Kyriacopoulos. (Maynard, Timothy) (Entered: 11/21/2017)
12/04/2017	26	Letter/request (non-motion) from James Peter Kyriacopoulos. (Halley, Taylor) (Entered: 12/05/2017)
12/05/2017	27	DOCKET SHEET sent to James Peter Kyriacopoulos (Halley, Taylor) (Entered: 12/05/2017)
12/08/2017	29	Chronology of Post-Conviction Petitions Attacking State Convictions by James Peter Kyriacopoulos. (Halley, Taylor) (Entered: 12/20/2017)

12/18/2017	<u>28</u>	Petitioner's ADDENDUM to re <u>21</u> MOTION for Hearing filed by James Peter Kyricopoulos. (Halley, Taylor) (Entered: 12/20/2017)
01/02/2018	<u>30</u>	MOTION to recuse Judge F. Dennis Saylor from case by James Peter Kyricopoulos.(Halley, Taylor) (Entered: 01/08/2018)
01/10/2018	<u>31</u>	Letter/request from James Peter Kyricopoulos to Chief Justice Patty Saris. (Pezzarossi, Lisa) (Entered: 01/10/2018)
01/10/2018	<u>32</u>	DOCKET SHEET sent to James Peter Kyricopoulos. (Pezzarossi, Lisa) (Entered: 01/10/2018)

EXHIBIT C

United States Court of Appeals For the First Circuit

No. 16-1071

IN RE: JAMES PETER KYRICOPOULOS,

Petitioner.

Before

Howard, Chief Judge
Kayatta and Barron, Circuit Judge.

JUDGMENT

Entered: February 3, 2016

Petitioner's mandamus petition complains about delay on the part of a magistrate-judge in failing to adjudicate a § 2254 petition that was docketed on June 23, 2015. Petitioner asks this court to issue a writ of mandamus "immediately demanding that Magistrate Boal issue her Report and Recommendation." The petition for writ of mandamus is denied. Complaints about delay on the part of a magistrate-judge should be addressed in the first instance to the district court judge who referred the matter to the magistrate-judge.

Denied.

By the Court:

/s/ Margaret Carter, Clerk

cc: James P. Kyricopoulos
Annette C. Benedetto

United States Court of Appeals For the First Circuit

No. 17-1291

IN RE: JAMES PETER KYRICOPOULOS,

Petitioner.

Before,

Howard, Chief Judge,
Torruella and Barron, Circuit Judges.

JUDGMENT

Entered: March 31, 2017

Petitioner James Peter Kyricopoulos has filed a petition for writ of mandamus, asking this court to intervene in a 28 U.S.C. § 2254 proceeding currently pending before the district court (1:16-cv-12431-IT). Having carefully reviewed petitioner's filings and relevant portions of the record, we conclude that the extraordinary remedy of mandamus is not in order. See generally In re Justices of Superior Court Dep't of Massachusetts Trial Court, 218 F.3d 11, 15 (1st Cir. 2000) (general mandamus principles). The petition for writ of mandamus is **DENIED**, and any remaining pending motions are **DENIED** as moot. See Local Rule 27.0(c).

By the Court:

/s/ Margaret Carter, Clerk

cc:

James Peter Kyricopoulos
Eva Marie Badway

No. SJ-2017-0182

TOTAL CONSTITUTIONAL DEPRIVATIONS

1. Petitioner was arrested without "probable cause," within his Petition of Unlawful Restraint:
U.S. and Mass. Constitutioins: 4th, 5th, 6th and 14th amendments;
2. Petitioner DENIED Fair Trial: 5th, 6th and 14th amendments to U.S. and Mass. Constitutions;
3. Denied Due Process; 5th and 14th amendments of U.S. and Mass. Constitutiins;
4. Denied Equal Protection of Law, being able to Appeal Petition of Unlawful Restraint, Crim. R. 30A;, 5th and 14th amendments of U.S. and Mass. Constitutions; throw in 6th amendment also of both constitutions, fair trial.
5. Denied Due Process in obtaining pre-trial and trial transcripts; 5th, 6th, and 14th amendments of both constitutions;
6. Denied Eqwual Protection of Administrative Order, no. 09-2, obtaining transcripts within time standards of said Administrative Order, No. 09-2:

5th, 6th and 14th amendments of both constitutions.

This ENOUGH, only in the Commonwealth, 32 months of false imprisonment, petitioner counts "ONLY" 18 violations of the United States and Massachusetts Constyitutions.

WOW, repeat, WOW, please put out a "all out points bulletin," (APB), where is the Attorney General, top cop, what a JOKE.

EXHIBIT D

United States Court of Appeals For the First Circuit

No. 17-1374

JAMES PETER KYRICOPOULOS,

Petitioner, Appellant,

v.

JOSEPH MURPHY,

Respondent, Appellee.

No. 17-1651

IN RE: JAMES PETER KYRICOPOULOS,

Petitioner.

Before

Torruella, Lynch and Barron,
Circuit Judges.

JUDGMENT

Entered: August 3, 2017

Petitioner James Peter Kyrkopoulos has filed an application for certificate of appealability ("COA") (17-1374), stemming from the district court's dismissal of his 28 U.S.C. § 2254 petition for lack of exhaustion, and a related petition for writ of mandamus (17-1651). Neither debatable nor wrong was the district court's conclusion that, at the time of its ruling in the § 2254 proceeding, Kyrkopoulos had not exhausted his state remedies. See Slack v. McDaniel, 529 U.S. 473, 484 (2000) (COA standard); see also 28 U.S.C. § 2254(b)(1)(A) (requiring § 2254 petitioner to "exhaust[] the remedies available in the courts of the State"); Janosky v. St. Amand, 594 F.3d 39, 50 (1st Cir. 2010) (noting that exhaustion in Massachusetts requires presentation of a claim "fairly and recognizably to the SJC"). Accordingly, the application for COA is **DENIED**, and appeal 17-1374 is terminated.

As for the mandamus petition, having carefully reviewed Kyrkopoulos' filings, we conclude that the extraordinary remedy of mandamus is not in order. See generally In re Justices of Superior Court Dep't of Massachusetts Trial Court, 218 F.3d 11, 15 (1st Cir. 2000) (general mandamus principles). The petition for writ of mandamus is **DENIED**. See Local Rule 27.0(c).

In light of the foregoing, Kyrkopoulos' motion to consolidate the proceedings and his motion to proceed in forma pauperis in the mandamus proceeding are **DENIED** as moot. Also **DENIED** as moot are Kyrkopoulos' various motions to amend his mandamus petition and to file addenda, as the content of the proposed amendments and/or addenda would not alter the outcome of the mandamus proceeding. Any other pending motions are denied as moot.

By the Court:

/s/ Margaret Carter, Clerk

cc:

James Peter Kyrkopoulos
Eva Marie Badway
Maura Doyle

United States Court of Appeals For the First Circuit

No. 17-1374

JAMES PETER KYRICOPOULOS,

Petitioner, Appellant,

v.

JOSEPH MURPHY,

Respondent, Appellee.

No. 17-1651

IN RE: JAMES PETER KYRICOPOULOS,

Petitioner.

Before

Torruella, Lynch and Barron,
Circuit Judges.

ORDER OF COURT

Entered: September 19, 2017

Petitioner James Peter Kyricopoulos has filed a "motion for clarification" in appeals 17-1374 and 17-1651. With regard to appeal 17-1374, we construe the motion as a motion to recall mandate, and the motion is **DENIED**. With regard to appeal 17-1651, we construe the motion as a second petition for panel rehearing, and the petition is **DENIED**.

By the Court:

/s/ Margaret Carter, Clerk

cc:

James Peter Kyricopoulos
Eva Marie Badway
Maura Doyle

EXHIBIT E

Dated: Sept. 26, 2017

VIA FIRST CLASS MAIL.

ATTN: ANASTASIA DUBROVSKY
SUPERVISORY ATTORNEY
UNITED STATES COURTS FOR
THE FIRST CIRCUIT
OFFICE OF THE CIRCUIT EXECUTIVE
JOHN JOSEPH MOAKLEY UNITED STATES
COURTHOUSE
1 COURTHOUSE WAY, SUITE 3700
BOSTON, MASSACHUSETTS 02210

In Re: Correspondence dated Sept. 20, 2017

Dear Ms. Anastasia;

Forgive my indulgence, I am forwarding this to your attention re: your correspondence that you forwarded to me, please see enclosed are true copies of what you forwarded to me:

- ~~1. Your cover letter dated Sept. 20, 2017;~~
2. Copy of a Complaint, no. 308 re: an Order from the Judicial Council for the First Circuit dated January 31, 2002; WOW;
3. Copy of my correspondence to Margaret Carter dated Sept. 4, 2017, pages 1-4.

First, the Order from the Judicial Council you state that no judicial misconduct complaints will be accepted from me, REALLY.

In light that I have never seen that Order, and the timing is laughable, in light that the Order is 15 years old, WOW, you went deep to go into the archives

Second, it appears that my correspondence to Ms. Carter is being treated as a judicial complaint which of course it is not, but again very interesting.

Thirdly, in March of last year, within habeas corpus no. 16-12431-IT, I requested that your office forward me a complaint form for judicial misconduct and disability, Order was issued by U.S.D.J. Talwani, see copy of docket entry nos. 51-52 where clear inference can be drawn. What is very interesting, I never heard from your office re: this Order from the Judicial Council, again quite a revelation.

Of course I know what this is all about, jusdt receiving an Order from the First Circuit Court of Appeals re: egregious misconduct by government officials, as the United States District Court and First Circuit know that I am in prison only because of state government misconduct.

See "United States v. Therrien, 2017, First circuit,"

See "Wheel v. Robinson, second circuit, 1993,"

See Averhahn v. United States, first circuit, 2009.

What are those cases about, the First Circuit knows, and I am being detained falsely, and this First Circuit could care less.


So I request that you kindly respond to the following:

A. Who directed you to forward the Judicial Counsil Order to me;

B. In light that my name does not appear within any part of that Order, forward evidence to me that said Complaint has anything to do with me;

Amazing revelation!!!!

Sincerely,


James Peter Kyricopoukos,
W-105398

presently incarcerated at:
OLd Colony Correctional Center
Minimum Security
One Administration Road
Bridgewater, Mass. 02324

JPK
enclosures
cc: Charles Grassey



UNITED STATES COURTS FOR THE FIRST CIRCUIT
OFFICE OF THE CIRCUIT EXECUTIVE
JOHN JOSEPH MOAKLEY UNITED STATES COURTHOUSE
1 COURTHOUSE WAY - SUITE 3700
BOSTON, MA 02210

SUSAN J. GOLDBERG
CIRCUIT EXECUTIVE
617-748-9614

FLORENCE PAGANO
DEPUTY CIRCUIT EXECUTIVE
617-748-9376

September 20, 2017

James Peter Kyricopoulos
Old Colony Correctional Center
Minimum Security
One Administration Road
Bridgewater, MA 02324

Re: Correspondence

Dear Mr. Kyricopoulos,

The enclosed correspondence, dated September 4, 2017, has been referred to my attention. The letter appears to lodge allegations of judicial misconduct against Judge Talwani and Magistrate Boal, both of the United States District Court for the District of Massachusetts. Pursuant to the Order issued by the Judicial Council of the First Circuit on January 31, 2002 (copy enclosed), "no new complaints of judicial misconduct shall be accepted" from you. Accordingly, the correspondence will not be accepted for filing as a judicial misconduct complaint.

Sincerely,

A handwritten signature in black ink, appearing to read "AD", followed by a long horizontal flourish.

Anastasia Dubrovsky
Supervisory Attorney

enclosure

JUDICIAL COUNCIL
FOR THE FIRST CIRCUIT

IN RE
COMPLAINT NO. 308

BEFORE

Torruella, Stahl, Lynch, Lipez, Circuit Judges
Lagueux, Woodlock, DiClerico, Dominguez, Singal, District Judges

ORDER

ENTERED: JANUARY 31, 2002

Petitioner, a pro se litigant, has filed a petition for review of Chief Judge Boudin's dismissal of his complaint of misconduct under 28 U.S.C. § 372(c) against an appellate judge and a district judge in the First Circuit. The petitioner has also filed a written opposition seeking to show cause why his ability to file further complaints should not be limited in response to a Show Cause Order, issued by Chief Judge Boudin in the same matter on October 5, 2001.

The petitioner originally alleged that the appellate and district judges engaged in conduct prejudicial to the effective and expeditious administration of the business of the courts in connection with a previous complaint that the petitioner submitted against four clerks -- two of the court of appeals and two of the district court.¹ The petitioner essentially alleged that the judges improperly dismissed and mishandled the complaint against the clerks. The petitioner asserted that the judges could not impartially consider the complaint against the clerks because,

¹The complaint also included allegations of wrongdoing by the then Circuit Executive and one of his assistants. By letter, dated October 5, 2001, Chief Judge Boudin dismissed the allegations of misconduct by these two officials.

as members of the First Circuit Judicial Council, they had reviewed another of petitioner's judicial misconduct complaints (No. 282) that related to the complaint against the clerks.

Chief Judge Boudin dismissed the complaint. The Chief Judge determined that both judges thoroughly investigated the petitioner's allegations of clerical impropriety, drew reasonable conclusions and properly notified the petitioner of the results of their investigations. As the petitioner failed to substantiate the allegation that the judges' review of the petitioner's prior judicial misconduct complaint in any way prejudiced their evaluation of the complaint against the clerks, Chief Judge Boudin dismissed the complaint as without sufficient basis to warrant further investigation. See 28 U.S.C. § 372(c)(3)(A)(iii).

Because the petitioner had filed misconduct complaints against three or more individual judges that had been found to be clearly without merit (No. 253, No. 282, and No. 308), the Chief Judge also issued a Show Cause Order, dated October 5, 2001, directing the petitioner to show cause why the Judicial Council should not enter an order precluding the petitioner from filing any further judicial misconduct complaints.²

In the petition for review, the petitioner states that his complaint and the Chief Judge's order are from "two different worlds." The petitioner states that the Chief Judge "glosses over" the original allegations – that at the "root" of the complaint was the claim that the accused judges conspired with the previous Circuit Executive and one of his assistants to disseminate to the petitioner an outdated version of the Rules of the Judicial Council of the First Circuit Governing

²The complainant filed Complaint No. 253 against a district judge on December 9, 1997 alleging delay and impropriety in connection with a civil case over which the judge presided. On February 17, 1998, then Chief Judge Torruella dismissed Complaint No. 253 pursuant to 28 U.S.C. §§ 372(c)(3)(A)(ii), 372(c)(3)(A)(iii). On June 8, 1998, the Judicial Council affirmed the order of dismissal. The complainant filed Complaint No. 282 on December 3, 1999 against three district judges and one appellate judge. Complaint No. 282 alleged misconduct in connection with multiple criminal and civil proceedings before the court. On March 29, 2000, Judge Selya dismissed Complaint No. 282 pursuant to 28 U.S.C. §§ 372(c)(3)(A)(ii), 372(c)(3)(A)(iii). On September 8, 2000, the Judicial Council affirmed the order of dismissal.

Complaints of Judicial Misconduct or Disability (Rules of Judicial Misconduct). The petitioner secondarily alleges that, when they dismissed the complaint against the four clerks, the judges were "not aware that the [petitioner] was in possession of the new rules."

In opposition to the Show Cause Order, the petitioner submits a copy of a letter from an Assistant United States Attorney to the petitioner, dated January 2, 2001, stating that the petitioner's "complaint" is not within the jurisdiction of the U.S. Department of Justice. The petitioner seemingly argues that, because this letter does not indicate that the judicial misconduct complaint to which it purportedly refers lacks an evidentiary basis, the unidentified complaint was erroneously dismissed. The petitioner further states that, in response to Complaint No. 282, both the Chief Judge and Judicial Council wrongfully neglected to inform the petitioner of his right to bring criminal charges to the appropriate authorities. Utilizing vulgar, inappropriate language, the petitioner concludes that he will forward his criminal complaint to the United States Attorney.

The petition for review is without merit. The petitioner's assertion that the complaint actually alleged that the judges conspired with representatives of the Circuit Executive's Office is baseless. A review of the record indicates that Chief Judge Boudin clearly responded to the allegations contained in the original complaint. Further, by letter, dated October 5, 2001, Chief Judge Boudin notified the petitioner that the allegations of misconduct by these officials were unfounded. Any remaining claim that the judges wrongfully conspired with these officials is presented without a shred of factual substantiation. The petitioner's related assertion that, when they dismissed the complaint against the four clerks, the judges were unaware that the petitioner

had retained the new Rules of Judicial Misconduct is irrelevant to any allegation of judicial misconduct. Accordingly, the complaint was properly dismissed. See 28 U.S.C. § 372(c)(3)(A)(iii).

The petitioner's opposition to the Show Cause Order is equally vacuous. Aside from the petitioner's inappropriate language, the statement that an unidentified complaint is outside the purview of the jurisdiction of the U.S. Department of Justice has no bearing on the merits of the complaint. Further, orders of dismissal need only inform a complainant of the right to bring "non-frivolous allegations of criminal conduct by a judge" to the appropriate authorities when they are dismissed "solely for lack of jurisdiction under 28 U.S.C. § 372(c)." Rules of Judicial Misconduct, Rule 4(i). Each of the petitioner's multiple misconduct complaints (No. 253, No. 282, and No. 308) contained only frivolous allegations; none were dismissed for lack of jurisdiction under the misconduct statute. As the petitioner has filed exclusively repetitive, baseless complaints of judicial misconduct against numerous judges and fails to provide any meaningful reason why he should not be precluded from continuing to submit such claims, the petitioner is restricted from filing any further complaints of judicial misconduct. See Rules of Judicial Misconduct, Rule 1(f).

For the reasons stated herein, the order of dismissal is affirmed. It is further ordered that, until otherwise directed by the Judicial Council, no new complaints of judicial misconduct shall be accepted by the petitioner.

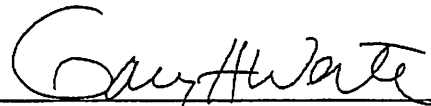

Gary H. Wentte, Secretary

EXHIBIT F

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JAMES PETER KYRICOPOULOS,
Petitioner,

v.

JOSEPH MURPHY
Respondent.

Civil Action No. 16-12431-IT

MOTION TO DISMISS

The respondent, Joseph Murphy, the Superintendent of Old Colony Correctional Center, respectfully moves this Court to dismiss the above-captioned petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 on the ground that the petition contains unexhausted claims. *See Rose v. Lundy*, 455 U. S. 509, 518-519 (1982). The respondent relies on the accompanying memorandum of law in support of his motion to dismiss.

WHEREFORE, for the foregoing reasons, the respondent requests that this Court dismiss this action in its entirety pursuant to Fed. R. Civ. P. 12(b)(6).

Respectfully submitted,

MAURA HEALEY

/s/ Eva M. Badway
Eva M. Badway
Assistant Attorney General
Criminal Bureau
One Ashburton Place
Boston, Massachusetts 02108
(617) 963-2824
BBO # 635431

Dated: December 21, 2016

Docket Date	Docket Text	File Ref Nbr.
05/12/2014	Commonwealth files Opposition To The Defendant's Motion To Dismiss.	67
05/16/2014	Defendant James Peter Kyricopoulos' Reply to Commonwealth Opposition to Defendant's Motion To Dismiss.	68
05/22/2014	Defendants James Peter Kyricopoulos' addendum to defendants motion to dismiss filed in court	69
05/22/2014	Motion to dismiss taken under advisement (Lu, J)	70
05/30/2014	Records from OCWEN Loan Servicing, LLC, Corporation Service Company - received.	71
08/20/2014	Correspondence from defendant received and forwarded to Judge Lu.	72
09/08/2014	Order On Defendant's Motion To Dismiss ORDER The defendant, James P. Kyricopoulos', motion to dismiss (paper #65) is DENIED. (John T. Lu, Justice) copy to Def. J.P.K. & ADA P.M.	73
09/10/2014	Sua Sponte bail hearing held - Court reduces bail to \$5,000.00 Cash. (Lu, J.)	
09/10/2014	Defendant, James Peter Kyricopoulos's Emergency Motion To Stay the Proceedings - The request for a stay is Denied. (John T. Lu, Justice)	75
09/18/2014	Defendant, James Peter Kyricopoulos's Motion For Reconsideration Of Judge Lu's Order Dated September 8, 2014 - filed. (copy of motion and Bound Exhibits forwarded to Judge Lu with docket sheets.	76
09/18/2014	Motion #76 (Defendant, James Peter Kyricopoulos's Motion For Reconsideration Of Judge Lu's Order Dated September 8, 2014) - This motion is DENIED. (John T. Lu, Justice) copy to Def. J.P.K.	
10/02/2014	Motion to squash subpoena filed in court - all parties notified	77
10/02/2014	Notice sent to both parties on 10/2/2014 to appear on 10/9/14 at 9:30am Re: subpoena	78
10/07/2014	Defendant, James Peter Kyricopoulos's Motion For Sequestration Of Witnesses - filed.	79
10/07/2014	Defendant, James Peter Kyricopoulos's Notice Of Witness Served.	80
10/09/2014	Records from the Peoples United Bank received.	81
10/10/2014	Motion #77 denied without prejudice (Feeley, J) .	
10/15/2014	Event Result: The following event: Jury Trial scheduled for 10/15/2014 09:00 AM has been resulted as follows: Result: Held as Scheduled	
10/21/2014	MOTION by Def: for finding of not guilty pursuant to criminal rule 25	82
10/21/2014	MOTION (P#82) denied (Thomas Drechsler, Justice).	
10/22/2014	RE Offense 2:Guilty verdict	
10/22/2014	RE Offense 4:Guilty verdict	
10/22/2014	RE Offense 5:Guilty verdict	
10/22/2014	RE Offense 6:Guilty verdict	
10/22/2014	RE Offense 7:Guilty verdict	
10/22/2014	RE Offense 8:Guilty verdict	
10/22/2014	RE Offense 9:Guilty verdict	
10/22/2014	RE Offense 10:Guilty verdict	
10/22/2014	RE Offense 11:Guilty verdict	
10/22/2014	RE Offense 12:Guilty verdict	
10/22/2014	RE Offense 13:Guilty verdict	



MAURA HEALEY
ATTORNEY GENERAL

THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE ATTORNEY GENERAL

ONE ASHBURTON PLACE
BOSTON, MASSACHUSETTS 02108

(617) 727-2200
www.mass.gov/ago

June 5, 2017

Ms. Maura S. Doyle
Clerk
Supreme Judicial Court for Suffolk County
John Adams Courthouse, Suite 1300
Boston, Massachusetts 02108

RE: James Peter Kyricopoulos v. Thomas H. Driscoll
Clerk of Court Courts for Essex County,
SJ-2017-0182

Dear Ms. Doyle:

Enclosed for filing in the above-referenced case is a notice of appearance and the respondent Thomas Driscoll's Opposition to the Petition Under G.L. c. 211, § 3 and a certificate of service. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Eva M. Badway".

Eva M. Badway
Assistant Attorney General
Criminal Bureau
Tel. (617) 963-2824

Enclosure

cc: James Peter Kyricopoulos, pro se

Docket Date	Docket Text	File Ref Nbr.
10/22/2014	RE Offense 11:Guilty verdict	
10/22/2014	RE Offense 12:Guilty verdict	
10/22/2014	RE Offense 13:Guilty verdict	
10/22/2014	RE Offense 14:Guilty verdict	
10/22/2014	RE Offense 15:Guilty verdict	
10/22/2014	RE Offense 16:Guilty verdict	
10/22/2014	RE Offense 17:Guilty verdict	
10/22/2014	RE Offense 18:Guilty verdict	
10/22/2014	RE Offense 19:Guilty verdict	
10/27/2014	Sentence imposed to State Prison: Counts 001-010, Not more than 5 years and not less than 3 years all to run concurrent with one another. Counts 011-019, 8 years probation from and after time served	
10/27/2014	RE Offense 1:Guilty verdict	
10/27/2014	RE Offense 3:Guilty verdict	
10/27/2014	RE Offense 5:Guilty verdict	
10/28/2014	Commonwealth files sentencing memorandum	84
10/28/2014	NOTICE of APPEAL FILED by James Kyricopoulos	87
10/29/2014	Deft files petition for release of unlawful restraint pursuant to criminal rule 30(A)	88
10/31/2014	Notice of appeal from sentence to Cedar Junction MCI (Walpole) filed by James Kyricopoulos	88.1
10/31/2014	Letter transmitted to the Appellate Division. All parties notified 11/24/2014.	89
01/05/2015	Court Reporter Lynch, Jr., John M. is hereby notified to prepare one copy of the transcript of the evidence of 05/22/2014	
01/05/2015	Court Reporter JAV Essex CV CtRm 1 Lawrence is hereby notified to prepare one copy of the transcript of the evidence of 10/15 - 27/2014	
01/13/2015	Updated docket sheets mailed to Defendant, James Peter Kyricopoulos at MCI Cedar Junction, Walpole, MA per request from Defendant.	93
02/13/2015	Updated docket sheets mailed to Defendant, James Peter Kyricopoulos at MCI Cedar Junction, Walpole, MA per request from Defendant.	
03/11/2015	Court received letter from Executive Office of Trial Court enclosing letter from defendant and related attachments - received 2/25/15	96
03/18/2015	Defendant's Motion for Habeas Corpus Ad Testificandum	97
03/19/2015	Defendant's Motion for	98
	Defendant, James Peter Kyricopoulos' Motion For Recusal Of Superior court Judge Thomas Dreschler and Affidavit in Support Of - filed. (copy of motion and docket sheets to Judge Dreschler)	
03/25/2015	CD of Transcript of 10/15/2014 09:00 AM Jury Trial received from Court Reporter Transcripts received on Digital Format from Court Transcribers Theresa Bullock & Laura Dellinger for dates 10/15/14, 10/16/14, 10/17/14, 10/20/14, 10/21/14 & 10/27/14..	99
03/30/2015	Endorsement on Motion for Recusal, (#98.0): DENIED	
	Applies To: Kyricopoulos, James P (Defendant); Strasnick, Esq., Jessica Michele (Attorney) on behalf of Commonwealth (Prosecutor); Mallard, Esq., Philip Anthony (Attorney) on behalf of Commonwealth (Prosecutor)	
03/30/2015	The following form was generated: A Clerk's Notice was generated and sent to:	

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JAMES PETER KYRICOPOULOS,
Petitioner,

v.

ERIN GAFFNEY
Respondent.

)
)
)
)
) Civil Action No. 17-11778-FDS
)
)
)
)

NOTICE OF APPEARANCE

Pursuant to Local Rule 83.5.2, please enter my appearance as counsel for the respondent,
Erin Gaffney, the Superintendent of Old Colony Correctional Center.

Respectfully submitted,

MAURA HEALEY
Attorney General

/s/ Eva M. Badway
Eva M. Badway
Assistant Attorney General
Criminal Bureau
One Ashburton Place
Boston, Massachusetts 02108
(617) 963-2824
BBO # 635431

Dated: October 31, 2017

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on October 31, 2017.

/s/ Eva M. Badway
Eva M. Badway

Docket Date	Docket Text	File Ref Nbr.
10/22/2014	RE Offense 10:Guilty verdict	
10/22/2014	RE Offense 11:Guilty verdict	
10/22/2014	RE Offense 12:Guilty verdict	
10/22/2014	RE Offense 13:Guilty verdict	
10/22/2014	RE Offense 14:Guilty verdict	
10/22/2014	RE Offense 15:Guilty verdict	
10/22/2014	RE Offense 16:Guilty verdict	
10/22/2014	RE Offense 17:Guilty verdict	
10/22/2014	RE Offense 18:Guilty verdict	
10/22/2014	RE Offense 19:Guilty verdict	
10/23/2014	Cash Bail Received (\$15,000.00) TOTAL of (\$20,000.00)	83
10/27/2014	Sentence imposed to State Prison: Counts 001-010, Not more than 5 years and not less than 3 years all to run concurrent with one another. Counts 011-019, 8 years probation from and after time served	
10/27/2014	RE Offense 1:Guilty verdict	
10/27/2014	RE Offense 3:Guilty verdict	
10/27/2014	RE Offense 5:Guilty verdict	
10/27/2014	Victim-witness fee assessed: \$90.00 (Thomas Drechsler, Justice)	
10/27/2014	Probation supervision fee assessed: WAIVED (Thomas Drechsler, Justice)	
10/28/2014	Commonwealth files sentencing memorandum	84
10/28/2014	MOTION by Deft: renewed for finding of not guilty pursuant to criminal rule 25	85
10/28/2014	MOTION (P#85) denied (Thomas Drechsler, Justice). Copies mailed 10/28/14	
10/28/2014	MOTION by Deft: to waive costs	86
10/28/2014	MOTION (P#86) allowed in part to the extent that this shall act as the defendants request for a transcript or transcript order. The issue of cost is reserved. (Thomas Drechsler, Justice). Copies mailed 10/28/2014	
10/28/2014	NOTICE of APPEAL FILED by James Kyricopoulos	87
10/29/2014	Deft files petition for release of unlawful restraint pursuant to criminal rule 30(A)	88
10/31/2014	Notice of appeal from sentence to Cedar Junction MCI (Walpole) filed by James Kyricopoulos	88.1
10/31/2014	Letter transmitted to the Appellate Division. All parties notified 11/24/2014.	89
11/03/2014	MOTION (P#88) denied (Thomas Drechsler, Justice). Copies mailed 11/03/2014	
12/22/2014	MOTION by Deft: to amend petition of unlawful restraint pursuant to criminal rule 30A	90
12/22/2014	MOTION (P#90) allowed only to the extent that this pleading seeks to amend the prior pleading. No further amendments will be permitted. (Thomas Drechsler, Justice). Copies mailed 12/22/2014	
01/05/2015	Court Reporter Lynch, Jr., John M. is hereby notified to prepare one copy of the transcript of the evidence of 05/22/2014	
01/05/2015		

EXHIBIT G

APPENDIX

EXHIBIT A: COPY OF DISTRICT COURT'S Order of DISMISSAL
DATED March 31, 2017, of Habeas Corpus no.
15-12789-IT.

EXHIBIT B: Petitioner's Motion for Court Order by A Single
Justice of the appeals Court;

AND

Court's Order dated June 9, 2016, no.2016-J-0223.

EXHIBIT C: Copies of Statement of Case for Appellate Court
Entry Statement and Notice of Assembly of Record
dated June 21, 2016;

AND

SUPREME JUDICIAL COURT DENYING WRIT OF MANDAMUS
DATED SEPT. 4, 2016, NO. SJ-2016-0342.

EXHIBIT D: DOCUMENT TITLED "TOTAL CONSTITUTIONAL DEPRIVATIONS,
FOR NO. SJ-2017-0182.

EXHIBIT E: COPY OF DOCKET ENTRIES AND SUPREME JUDICIAL COURT'
DENIAL OF WRIT OF MANDAMUS, DATED June 12, 2017
and June 19, 2017;

AND

Appendix for Writ of Mandamus, no. SJ-2017-0182,
Exhibits A-I, pages 1-2.

AND

Copies of Cover Letter for Motion to Dismiss dated December 21, 2016 for Habeas Corpus no. 16-12431-IT, submitted by Asst' attorney General Eva Badway;

AND

Eva Badway's Notice of Appearance and Respondent's Opposition to Petition under G.L. c. 211, sec. 3 dated June 5, 2017, no. SJ-2017-0182.;

AND

Petitioner's Reply dated June 8, 2017 with Motion to Amend Relief.

EXHIBIT F:

Commonwealth's Motion in Limine dated October 19, 2014;

AND

Detective MacMillam of Lawrence Police Department Incident Report dated June 25, 2012;

AND

Defendant's Motion for Records/Memorandum of Law dated December 19, 2012, submitted by Attorney Allison.